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**From:** Wade, Alexis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5C9FBA2EF8444572A39185242B70593B-WADE, ALEXIS]  
**Sent:** 8/27/2020 8:35:55 PM  
**To:** Steven Neugeboren [Neugeboren.Steven@epa.gov]  
**Subject:** FW: Transmittal of the Memorandum on ESA Section 7(a)(2) Consultation for State and Tribal for CWA Section 404 Program Approvals  
**Attachments:** Transmittal to Region 4 RA - Final ESA Memo - 08.27.2020 Signed.pdf; Final Memorandum - ESA 7(a)(2) Consultation for State and Tribal CWA 404 Program Approvals - 08.27.2020 Signed.pdf

FYI

Alexis Wade  
Attorney-Adviser  
Water Law Office  
EPA Office of General Counsel  
(202) 564-3273

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**From:** Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>  
**Sent:** Thursday, August 27, 2020 4:28 PM  
**To:** Beck, Whitney <beck.whitney@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>  
**Subject:** FW: Transmittal of the Memorandum on ESA Section 7(a)(2) Consultation for State and Tribal for CWA Section 404 Program Approvals

Thank you all for completing this in record time!

David Risley is in the process of looking at our proposed website changes, so stayed tuned.

Thanks much!  
Mindy

Mindy Eisenberg  
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**From:** Aguirre, Janita <Aguirre.Janita@epa.gov> **On Behalf Of** Ross, David P  
**Sent:** Thursday, August 27, 2020 4:23 PM  
**To:** Walker, Mary <walker.mary@epa.gov>  
**Cc:** Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Goodin, John <Goodin.John@epa.gov>; Connors, Sandra <Connors.Sandra@epa.gov>; Santell, Stephanie <Santell.Stephanie@epa.gov>; Aguirre, Janita <Aguirre.Janita@epa.gov>  
**Subject:** Transmittal of the Memorandum on ESA Section 7(a)(2) Consultation for State and Tribal for CWA Section 404 Program Approvals

Mary,

Please see the attached transmittal letter and memorandum on consultation requirements under the Endangered Species Act for state and tribal Clean Water Act Section 404 program approvals. Because we have determined that EPA's potential approval of the State of Florida's August 20, 2020 request to assume administration of the CWA Section 404 program may affect ESA-listed species or designated critical habitat, please initiate ESA Section 7 formal consultation with our federal partners as part of your review of Florida's application.

Regards,  
Dave

David P. Ross  
Assistant Administrator, Office of Water  
U.S. Environmental Protection Agency  
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